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106TH CONGRESS
1ST SESSION

H. R. 958

To amend title XVIII of the Social Security Act to restore the nonapplicability of private contracts for the provision of Medicare benefits.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1999

Mr. KLECZKA (for himself, Mr. RANGEL, Mr. DINGELL, Mr. STARK, Mr. WAXMAN, Mr. MCDERMOTT, Mr. CARDIN, Mr. BARRETT of Wisconsin, Mr. FRANK of Massachusetts, Mr. FORD, Ms. PELOSI, Mr. BORSKI, Ms. BROWN of Florida, Mr. SANDERS, Ms. DELAURO, Ms. KILPATRICK, Mr. HINCHEY, Mr. PALLONE, Mr. TOWNS, Ms. MILLENDER-MCDONALD, Mr. THOMPSON of Mississippi, Ms. RIVERS, Mr. GREEN of Texas, Mr. DAVIS of Florida, Mr. SERRANO, Mrs. JONES of Ohio, and Mr. SANDLIN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To amend title XVIII of the Social Security Act to restore the nonapplicability of private contracts for the provision of Medicare benefits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SECTION 1. RESTORATION OF NONAPPLICABILITY OF PRIVATE CONTRACTS FOR THE PROVISION OF MEDICARE BENEFITS.

(a) IN GENERAL.—Section 1802 of the Social Security Act (42 U.S.C. 1395a(b)) is amended by striking subsection (b), as added by section 4507(a) of the Balanced Budget Act of 1997, and inserting the following new subsection:

"(b) PROHIBITION ON PRIVATE CONTRACTS.—A provision of any contract, agreement, or other arrangement that provides for waiver of the claims submission requirement under paragraph (4) of section 1848(g), for the waiver of the billing limitation described in paragraphs (1) and (2) of such section, or for both, is invalid and not enforceable.".

(b) CONFORMING AMENDMENTS.—

(1) Section 1862(a) of the Social Security Act (42 U.S.C. 1395y(a)) is amended—

(A) by striking paragraph (19); and

(B) by redesignating paragraphs (20) and (21) as paragraphs (19) and (20), respectively.

(2) Subsection (b) of section 4507 of the Balanced Budget Act of 1997 (relating to report) is repealed.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) and (b)(1) shall apply to items and services

1 furnished on or after the date of the enactment of this
2 Act, without regard to when a contract or other arrange-
3 ment relating to the provision of such items or services
4 may have been entered into.

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